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UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

EDWARD TERRELL,
Petitioner,
v.
CDCR,
Respondent.

No. 2:14-cv-2713 MCE AC P

ORDER


Petitioner has requested the appointment of counsel on appeal. ECF No. 23. As an initial matter, petitioner’s request for an attorney on appeal is premature and outside the scope of this court’s authority. To the extent plaintiff is seeking appointment of counsel in the instant action, there currently exists no absolute right to appointment of counsel in habeas proceedings. See Nevius v. Sumner, 105 F.3d 453, 460 (9th Cir. 1996). However, 18 U.S.C. § 3006A authorizes the appointment of counsel at any stage of the case “if the interests of justice so require.” See Rule 8(c), Fed. R. Governing § 2254 Cases. In the present case, the court does not find that the interests of justice would be served by the appointment of counsel at the present time.

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Accordingly, IT IS HEREBY ORDERED that petitioner's request for appointment of counsel (ECF No. 23) is denied without prejudice to a renewal of the motion at a later stage of the proceedings.

DATED: July 16, 2015



ALLISON CLAIRE
UNITED STATES MAGISTRATE JUDGE